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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

**LEAGUE OF WILDERNESS DEFENDERS/
BLUE MOUNTAINS BIODIVERSITY
PROJECT,**

Plaintiffs

v.

BROOKS SMITH, et al.,

Defendants.

Civil No. 04-1595-PK (Lead case)

Consolidated Cases

**STIPULATION RE: DISPOSITION
OF PLAINTIFF FSEEE'S MOTION
FOR ATTORNEYS' FEES & COSTS**

Plaintiff Forest Service Employees for Environmental Ethics ("FSEEE") and Defendant in the companion case, FSEEE v. Forest Serv., CV-04-1628-PK, of the above-captioned consolidated actions (collectively, "stipulating parties") hereby submit and respectfully request that the Court approve this stipulation memorializing their agreement providing for disposition of

FSEEE's Motion for Attorneys' Fees and Costs (Dkt. #208). Specifically, the stipulating parties stipulate as follows:

1. On December 12, 2006, the Court entered a final Judgment (Dkt. #171) in which it dismissed these consolidated actions with prejudice. On January 9, 2007, FSEEE filed a motion for attorneys' fees and costs. Since that time, FSEEE and Defendant have been engaged in settlement negotiations designed to resolve the issues raised by the motion in the absence of further litigation. Recently, on February 20, 2007, the stipulating parties agreed on the fundamental terms of a settlement agreement. This stipulation serves to memorialize and formalize their agreement.

2. Defendant shall pay to FSEEE (Taxpayer ID# 93-1162218) the sum of \$35,000.00 as the full amount due and owing and in complete satisfaction of any obligations Defendant may have to compensate FSEEE for the expenditures it has made or have yet to make for attorneys' fees, expenses, and costs related to these consolidated cases, including but not limited to the expenditures for which it seeks reimbursement in its pending motion. Defendant shall send such payment to FSEEE at the following address: Stephanie Detwiler, Director, Administration and Finance, Forest Service Employees for Environmental Ethics, P.O. Box 11615, Eugene, Oregon 97440.

3. FSEEE hereby withdraws its motion for attorneys' fees and costs with prejudice.

4. The fact that the stipulating parties are entering into this stipulation does not constitute, and shall not be construed, as an admission on the part of either FSEEE or Defendant with respect to any issues related to FSEEE's motion for attorneys' fees and costs.

5. The stipulating parties respectfully request that the Court review and approve this

stipulation by signing on the signature block below provided for that purpose. Following the Court's approval, Defendant will begin processing the payment to FSEEE referenced in paragraph 2, above.

Dated this 23rd day of February 2007.

Respectfully submitted,

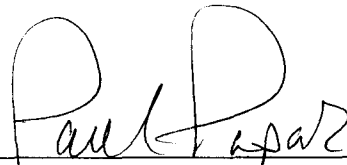
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/s/ Marc Fink (by SJO)
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/s/ Stephen J. Odell
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Of Attorneys for Defendant

I have reviewed and APPROVE the foregoing stipulation of Plaintiff FSEEE and Defendant regarding the disposition of FSEEE's Motion for Attorneys' Fees and Costs.

Dated this 26th day of February 2007.



THE HONORABLE PAUL PAPAK
U.S. Magistrate Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have made service of the foregoing STIPULATION RE:
DISPOSITION OF PLAINTIFF FSEEE'S MOTION FOR ATTORNEYS' FEES & COSTS by
causing a true copy of the referenced document to be served electronically via the Court's ECF
system upon the filing of the document on this 23rd day of February 2007 to the following counsel
of record:

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/s/ Stephen J. Odell
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